

NAME, ADDRESS, AND TELEPHONE NUMBER OF DEFENDANT OR DEFENDANT'S ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TEHAMA</b>		
COURTHOUSE ADDRESS:		
DEFENDANT/PETITIONER:		
<input type="checkbox"/> <b>PETITION AND ORDER TO REDUCE OR VACATE CIVIL ASSESSMENT</b> <input type="checkbox"/> <b>PETITION AND ORDER FOR AN ABILITY-TO-PAY DETERMINATION</b>		CITATION NUMBER/ LEA:

**Petition to Reduce or Vacate Civil Assessment – California Rules of Court, Rule 4.106 FOR VEHICLE CODE INFRACTIONS ONLY**

- If you have received a notice indicating that the court has referred your delinquent matter to Collections, placed a hold on your license and/or a civil assessment has been added to your citation, you may request that the court reduce or vacate the assessment.
- To make the request, you must file a petition with the court and be able to show Good cause as defined in Section 4.106 of the California Rules of Court.
- You do not need to pay anything to file this petition.

**Note:** A petition to reduce or vacate an assessment does not stay any order requiring payment of bail, fines, penalties, fees, or assessments unless specifically ordered by a judicial officer.

**Petition for Ability-to-Pay Determination – California Rules of Court, Rule 4.335 FOR VEHICLE CODE INFRACTIONS ONLY**

- If you cannot pay your ticket, you may request that the court consider your ability to pay, lower your payment, vacate the amount you owe, get on a payment plan, and/or do community service (fees may apply).
- You are eligible if: (1) you are currently on an installment plan or (2) your judgment remains unpaid, including when your case is delinquent or in collections.
- You have the right to a review by a judicial officer. \* **A request for an ability to pay review must be in writing and include a completed TR-320 form** as well any additional information that you want the court to consider.
- If an ability-to-pay determination has already occurred, another ability-to-pay determination on the same fines or penalties can be requested when there is a change in your circumstances.

**Instructions:** Complete and file this form and attach any additional information or documentation you wish the court to consider. (See Page 2 for more information.)

**Check one:**     This is my first petition                       I have submitted a petition before (Please explain below.)

**Reason for Petition/Change in circumstance:**

Additional sheets attached to this document.

**Reason you want to appear in court:**

Additional sheets attached to this document.

**DECLARATION**

I declare under penalty of perjury, under the laws of the State of California, that the information I have provided with this petition is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Name (PRINT)

\_\_\_\_\_  
Petitioner's Signature

**INFORMATION**

- The court will respond to your petition in writing. Please allow up to four weeks for a response.
- If the court requires more information to make its determination, you will be notified in writing of the information needed or if necessary, a hearing date where you will be required to appear in court.

For Petition to Reduce or Vacate Civil Assessment:

- Provide the reason(s) and documentation for your failure to appear on the due date.

For Petition for Ability-to-Pay Determination:

- Provide the reason(s) and any documentation to support your request, **include a completed TR-320 form\***.
- Provide any documentation to support your request, such as:
  - Proof of receiving any public benefits, such as CalWORKSs, General Relief, CalFresh (food stamps), IHSS, SSI, etc.
  - Any recent statements for fixed monthly payments (car, rent, utilities, credit card/student/personal loans, child support, etc.)
  - Pay stubs, disability/retirement income, or any other source of income
  - Bank statements, W-2's, and/or income tax returns
  - Work or family obligations or a disability that prevents you from completing community service

**IMPORTANT: Once the judicial officer has made a ruling on your petition, the court will shred any additional documentation you submit with this petition.**

**ORDER**

**The Court has reviewed and considered the:**

- Petition to Reduce or Vacate Civil Assessment. The court  does  does not find good cause for the failure to appear.
- Petition for Ability-to-Pay Determination.

**The Court Now Orders:**

- Good Cause shown, the civil assessment is \$\_\_\_\_\_ total.  Civil assessment is vacated and Count \_\_\_\_\_ is dismissed.
- The court finds defendant Guilty on \_\_\_\_\_. The court finds defendant  Not Guilty on \_\_\_\_\_.
- The court reduces the fine to \$\_\_\_\_\_. Due by \_\_\_\_\_.  Withdrawn for collections.
- As to count(s): 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_.
- It is determined that the defendant's ability to pay is \$\_\_\_\_\_per month.
- Collections vendor/court staff to set up a payment plan with the defendant.
- Defendant may complete community service in lieu of paying \$\_\_\_\_\_, by \_\_\_\_\_.
- Driver's license hold released for this citation.
- Sentence suspended.  As to counts: \_\_\_\_\_  All counts.
- Petition is denied. All previous orders remain in full force and effect.  No further proceedings on this issue.
- Defendant has until \_\_\_\_\_ to remit payment in full.
- Matter is ordered set for an **Ability-to-Pay** hearing by the Clerk's Office. Defendant ordered to appear as directed. More information is needed regarding \_\_\_\_\_.
- \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

**For Court Use**

**Ability-to-Pay Hearing:** Your court hearing has been set as follows:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Court Location: \_\_\_\_\_

**PROOF OF SERVICE**

I certify that I am not a party to this case and that I served a true copy of the Order upon the defendant/counsel at the address shown above, by placing it in a sealed envelope with postage fully paid for collection and mailing, by the United States Postal Service, at the courthouse in Red Bluff, California.

**Kevin Harrigan, Court Executive Officer**

Date: \_\_\_\_\_

\_\_\_\_\_  
By \_\_\_\_\_, Deputy Clerk